



Central Valley Regional Water Quality Control Board

9 April 2014

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NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2013-0074; MARSH CREEK CORRIDOR FLUSHING OPERATIONS AND CLAYTON REGENCY MOBILE HOME PARK PROJECT; CONTRA COSTA COUNTY

Our office received a Notice of Intent (NOI) from the Contra Costa Water District (Discharger) for its Potable Water System Maintenance Project (Project). On 2 April 2013, the Discharger submitted a NOI for the Marsh Creek Corridor Flushing Operations and on 6 December 2013 an NOI was submitted for the Clayton Regency Mobile Home Park Project. The Discharger also submitted a Pollution Prevention and Monitoring and Reporting Plan (PPMRP) on 6 December 2013 addressing both portions of its Project. Based on the information in the NOIs, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff has determined that the Project meets the required conditions for approval under the General Order for Dewatering and Other Low Threat Discharges to Surface Waters (Low Threat General Order). This Project is hereby assigned Low Threat General Order R5-2013-0074-140 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001. Please reference unique Order R5-2013-0074-140 in all future correspondence and documents.

The Low Threat General Order (enclosed) may be viewed at the following web address: http://www.waterboards.ca.gov/centralvalley/board\_decisions/adopted\_orders/general\_orders/r5-2013-0074.pdf. You are urged to familiarize yourself with the contents of the entire document. The Low Threat General Order prescribes mandatory discharge monitoring requirements. The project activities shall be operated in accordance with the requirements contained in this NOA, the Low Threat General Order, and with the information submitted by the Discharger.

CALIFORNIA TOXICS RULE / STATE IMPLEMENTATION POLICY MONITORING

The Low Threat General Order incorporates the requirements of the California Toxics Rule (CTR) and the State Water Resources Control Board's (State Water Board), Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, 2005, also known as the State Implementation Policy (SIP).

Section 5.3 of the SIP allows exceptions from meeting the Priority Pollutant criteria/objectives in order to implement control measures conducted to fulfill statutory requirements under the federal Safe Drinking Water Act or the California Health and Safety Code. The discharges authorized by this NOA are from activities to comply with Sections 116350-116405 of the California Health and Safety Code, which require water utilities to perform various duties in

order to protect the integrity of the water system and public health. Therefore, the Discharger qualifies for the exception in Section 5.3 of the SIP and is not required to conduct Priority Pollutant (CTR constituent) sampling.

Dischargers authorized to discharge under this Low Threat General Order who have been granted an exception to the priority pollutant criteria and objectives in the SIP, must provide certification by a qualified biologist that the beneficial uses of the receiving water have been restored upon completion of the project.

## PROJECT DESCRIPTION

### ***Marsh Creek Corridor Flushing Operations***

The Marsh Creek distribution system flushing program consists of a stationary auto flusher, 3 manual flushing operation sites, and a planned installation and operation of an additional auto flusher. The flushing sites selection is based on the relative terminus and customer locations within the distribution system corridor.

The existing auto flusher is located about 6 miles east of the City of Clayton on the north side of Marsh Creek Road. It discharges onto rip-rap on an embankment that flows into Marsh Creek. The manual flushing sites are located on Aspara Drive, Tumbleweed Court, and Whispering Pines Road. The manual flushing sites discharge to Marsh Creek through various storm drain conveyances. The existing auto flusher and manual sites are situated within a 2 mile radius of each other. An additional auto flusher will be installed on Leon Drive. This unit will be similar in type and operation as the existing auto flusher located near Marsh Creek Road. Per the Discharger's PPMRP all discharges will be dechlorinated prior to reaching surface waters.

Additionally, the Discharger seeks coverage for potential discharges from the treated water distribution system within the Marsh Creek corridor. Other potential discharge water sources in the distribution system include: hydrants, blow-offs, and the divide tanks number 1 and 2. Planned and unplanned discharges may occur from these sources and, as a result, require coverage under the Low Threat General Order. Regardless of the location, the maximum planned discharge rate is 760 gallons per minute discharged intermittently for up to four hours. The planned discharge rates for each location is described in the table below.

<b>Flushing Location</b>	<b>Flushing Type</b>	<b>Frequency</b>	<b>Expected Flow Rate (gal/min)</b>	<b>Expected Duration (min)</b>	<b>Volume (gal/year)</b>
Aspara Drive	Manual	Twice per Week	200	30	312,000
Marsh Creek Road	Automatic	Daily	80	240	7,008,000
Leon Drive (Proposed)	Automatic	Daily	80	240	7,008,000
Tumbleweed Court	Manual	Twice per week	200	30	312,000
Whispering Pines Road	Manual	Twice per week	200	30	312,000

### ***Clayton Regency Mobile Home Park***

The Discharger constructed a new pipeline extending from the existing Marsh Creek Road pipeline terminus to the Clayton Regency Mobile Home Park where it replaced a temporary fill station with long-term water service. The Discharger installed a flushing station near the Clayton Regency Mobile Home Park on the newly installed pipeline for periodic flushing to meet regulatory requirements for potable water. The flushing will discharge approximately 20,000 gallons per discharge and will flow into an existing storm drain that discharges to Marsh Creek. Per the Discharger's PPMRP all discharges will be dechlorinated prior to reaching surface waters.

### **MONITORING AND REPORTING**

The Discharger must notify Central Valley Water Board staff 24 hours 1) before the start of each new discharge or per the Discharger's PPMRP, 2) as soon as noncompliance is anticipated, and 3) when the discharge ceases. This is a water supply project with numerous discharge points. Therefore, the Discharger was required to submit a PPMRP with the NOI. The PPMRP dated 6 December 2013 complies with Attachment H and with Sections I, IX, and X of Attachment E of the Low Threat General Order, and is hereby approved.

Effluent and receiving water analytical monitoring shall be conducted as described in the approved PPMRP and the results submitted to the Central Valley Water Board on a quarterly basis. The Discharger must submit quarterly reports, as described in Attachment E, Section X of the Low Threat General Order; even if there is no discharge or receiving water flow during the reporting quarter, until the Discharger formally requests that coverage under the Order be terminated.

### **GENERAL INFORMATION AND REQUIREMENTS**

The required annual fee (as specified in the annual billing you will receive from the State Water Resources Control Board) shall be submitted until the discharge is terminated. To terminate coverage under the Low Threat General Order, the Discharger must submit written notification to the Central Valley Water Board that the discharge regulated by this Low Threat General Order has ceased and is no longer necessary. If a timely written request is not received, then the Discharger will be required to pay additional annual fees as determined by the State Water Resources Control Board.

### **ENFORCEMENT**

Failure to comply with the Low Threat General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations are subject to a Mandatory Minimum Penalty (MMP) of \$3,000 per violation. Late reports may be subject to an MMP of \$3,000 for each period of 30 days late. When discharges do not occur during a quarterly monitoring period, the Discharger must still submit a quarterly report indicating that no discharge occurred to avoid being subject to enforcement actions.

### **COMMUNICATION**

All monitoring report submittals, notification of the beginning and end of discharge, and questions regarding compliance and enforcement shall be directed to Mohammad Farhad of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Farhad can be reached at (916) 464-1181 or [Mohammad.Farhad@waterboards.ca.gov](mailto:Mohammad.Farhad@waterboards.ca.gov).

Questions regarding the permitting aspects of this Low Threat General Order, and written notification for termination of coverage under the Low Threat General Order, shall be directed to

Jim Marshall of the Central Valley Water Board's NPDES Permitting Unit. Mr. Marshall can be reached at (916) 464-4772 or James.Marshall@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or State holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

***Original Signed by  
Richard Loncarovich for***

Pamela C. Creedon  
Executive Officer

Enclosure: General Order R5-2013-0074 (Discharger only)

cc: Dave Smith, U.S. Environmental Protection Agency, Region IX, San Francisco  
Phil Isorena, Division of Water Quality, State Water Board, Sacramento